REMARKS

Claims 1-20 are pending and rejected in the above-identified application. Claims 1, 3, 6, 9, 12, 18, and 19 have been amended, and Claim 20 has been cancelled. Accordingly, claims 1-19 are at issue in the above-identified application.

35 U.S.C. ¶ 102 Anticipation Rejection of Claims

Claims 1-13 were rejected under 35 U.S.C. § 102(e) as being purportedly anticipated by *Yung* (U.S. Patent No. 6,196,113). Applicant respectfully traverses this rejection.

Claims 5, 8, and 11 each require, among other limitations, "receiving, <u>without user intervention</u>, a plurality of recipe programs at a network interface." In the Office Action, the Examiner states that that *Yung* discloses receiving the recipes without user intervention by virtue of the fact that *Yung* teaches an appliance that may be connected to an external device such as a personal computer. Applicant respectfully disagrees.

Yung teaches a few methods for updating recipe programs in an appliance. First, *Yung* teaches that new recipes may be placed on removable memory cards (Col. 9, lines 31-46). These cards may be distributed by the manufacturer, or alternatively, may be transferred onto the memory cards via a personal computer. (Col. 9, lines 41-51). *Yung* specifically teaches that in order to obtain the new recipes onto the personal computer, a floppy may be received from the manufacturer, or the user may be able to download them from a website. (Col. 9, lines 46-55)("programs could be downloaded from a website by the consumer and saved onto a flash card plugged into a PC. Then the flash card is moved to the general-purpose appliance to update or augment the existing programs therein."). Finally, *Yung* then teaches that the appliance may be connected to the personal computer via a parallel or serial port, which would allow the user to

transfer any received or downloaded recipes to the appliance without using memory cards.

There is no disclosure or suggestion associated with this or any other embodiment of any

mechanism other than the program being optionally downloaded from a website by the

consumer. Thus, in each and every embodiment disclosed in *Yung*, the user must actively update

the recipe programs by placing a memory card into the appliance, downloading new recipes from

a website, saving recipes received on a floppy onto the personal computer and/or transferring

recipes from the personal computer to the appliance.

At no time does *Yung* teach, or even suggest that the plurality of recipe programs stored

in the appliance can be updated without user intervention. As discussed in Applicant's Response

to the Sep. 5, 2003 Office Action, this provides numerous advantages over the cited art

including, but not limited to, the ability to provide automatic updates of the plurality of recipes.

As *Yung* does not disclose receiving recipes "without user intervention", Applicant respectfully

submits that independent Claims 5, 8, and 11, as well as dependent Claims 6-7, 9-10, and 12-17

are in condition for allowance.

Applicant also submits that *Yung* does not teach "a network interface, in communication

with the controller, configured to request a recipe program from an operably connected, but

eternal device, if the code input by the code input device does not correspond to any one of the

plurality of recipe programs stored in the controller" as required by amended Claim 1. As

discussed above, *Yung* teaches that that in order to obtain new recipe programs, the user must

either obtain memory cards having the new programs from a manufacturer, developer, or

distributor, or to manually download any such programs from a website. *Yung* does not,

however, disclose an appliance that includes a network interface configured *to request* a recipe

program from an external device if the code input by the code input device does not correspond

to any one of the plurality of recipe programs stored in the controller. Rather, *Yung* merely discloses the user optionally requesting updates. Accordingly, Applicant submits that Claim 1, as well as dependent Claims 2-4, is in condition for allowance.

In addition, Applicant also respectfully traverses the Examiner's rejection of Claims 3, 6, 9, and 12. Claims 3, 6, 9, and 12 each require formatting a recipe program request message and transmitting the recipe program request message to the operably connected, but external device. In rejecting these Claims, the Examiner cites to two portions of the *Yung* specification. Yet neither of the portions suggests Applicant's invention.

First, the Examiner argues that *Yung* at Col. 6. lines 27-33 purportedly discloses the formation of a recipe program request message. However, this portion of the *Yung* disclosure merely discusses how the stored recipes are requested from the appliance memory when selected from the appliance control panel. It does not disclose, as required by Claims 5, 9, 13, and 17, forming a recipe program request message upon failing to find an associated program in memory and then transmitting this recipe program request message to an external device.

Second, the Examiner argues that *Yung* at Col. 10, lines 16-30 teaches receipt of the request recipe program in response to the recipe program request message. Again, Applicant disagrees. This portion of the specification teaches that a peripheral device (which may be a personal computer) may be connected to the appliance to play stored multimedia files that are associated with the already stored recipes. There is simply no suggestion of receiving any new recipes in response to a previously transmitted recipe program request message. Accordingly, Applicant submits that, in addition to the reasons discussed for Claims 1, 5, 8, and 11 above, Claims 3, 6, 9, and 12 are also allowable over the cited art.

35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 14-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Yung* in view of

Edamula (U.S. Patent No. 4,837,414). Claims 14, 15, 16, and 17 are dependent from Claims 1,

5, 8, and 11, and are therefore allowable for at least the reasons discussed above. With regards

to Claims 18 and 19, although the Applicant disagrees with the Examiner's characterization of

the cited art, the Applicant has amended the claims to expedite the present application.

Claim 18 has been amended to require, among other limitations, that the controller is

configured "to format a recipe program request message including the input code upon the

controller failing to find a recipe program in the plurality of recipe programs associated with the

input code and transmit the recipe program request message to the operably connected, but

eternal device." Claim 19 has been amended to include the steps of "formatting a recipe program

request message in response to the controller failing to select a requested recipe program from

the plurality of programs that is associated with the code from the code input device and

transmitting the recipe program request message to the operably connected, but eternal device;

and receiving at the network interface the requested recipe program from the operably connected,

but external device in response to the recipe program request message being sent." Accordingly,

Applicant submits that Claims 18 and 19 are allowable for at least the reasons discussed above

for Claims 1, 5, 8, and 11.

In view of the foregoing, Applicant submits that the application is in condition for

allowance. Notice to that effect is requested.

Respectfully submitted,

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